IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

SUIT NO.916 OF 2002

Dr.P.A.Dadia & Ors. ...Plaintiffs
Vs.
Mahendra Dadia & Ors. ...Defendants

Ms.Alpana Ghone i/b. S. Satpute & Co. for Plaintiffs
Mr.Sanjeev Singh i/b. Mr. Bipin Joshi for Defendants

CORAM: SMT.R.S.DALVI,J.
DATED: 18TH JULY, 2005

P.C.

1. After the filing of this suit arbitration proceedings between the parties have been initiated. An Award has been passed. Hence, most of the reliefs claimed by the Plaintiffs have become infructuous. The Plaintiffs desire to press only prayer (k). The suit is therefore simplicitor, a monetary claim for recovery of Rs.39 lacs with interest at 12% per annum thereon from Defendant No.6.

2. The suit must therefore, be valued upon that prayer advalorum. The Plaintiff's valuation has to be checked by the Office. The Plaintiffs shall pay further Court Fees, if the Plaintiff has not correctly valued the suit for the relief of the prayer (k).

3. The Plaintiff's Advocate undertakes to pay further Court Fees, if any, payable within two weeks from today.

4. Suit to be placed on board of regular Court on 4th August, 2005 for rejection of Plaint under the provisions of Order 7 Rule 11 of the C.P.C. if the valuation is found to be inadequate and the Plaint is not revalued.

(SMT.R.S.DALVI,J.)